

From: ["Brooks, Karl" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=78AC91F4DB6D44F58424B504D5AA3C7D-BROOKS, KARL>](#)
To: [:Tapia <esmith@moenviron.org>](#)
["Cecilia: Kring"](#)
[Debbie](#)
CC: ["Joeana Middleton;Lou Aboussie;Kerry DeGregorio;Bill Otto;Brecht Mulvihill;Kat" <Smith;hnavarro@moenviron.org;Pauley>](#)
[Sara](#)
Date: 10/3/2013 11:03:57 AM
Subject: RE: Gov't Shutdown, EPA, and West Lake Landfill

Dear Ed,

Thanks for your note, which I see you have copied to the congressional staff with whom I spoke on September 20. Your questions are useful and I appreciate your copying Superfund Division Director Cecilia Tapia.

She and Dan Gravatt, like all but a handful of EPA Region 7 employees, have been placed on furlough status effective October 1 owing to the lapse in congressional appropriations for FY14.

By the end of this week, should this agency still be in a shutdown mode, as directed by the President owing to the lapse in congressional appropriations, I will be in a better position to determine the need to recall employees from furlough status to conduct essential public-health protection work connected with West Lake Landfill. Should this agency recall employees to work on projects connected with essential public-health protection at the West Lake Landfill site, I will let you know.

The Missouri Department of Natural Resources (MDNR) remains in its oversight role at the Bridgeton Landfill. As I assured you and the members of Congress in our September 20 calls, relevant information evaluated by both MDNR and EPA establish that current activities at Bridgeton and West Lake remain protective of public health.

Please continue to direct your questions and comments to me until such time as this agency is directed by the President to resume normal operations following enactment of a congressional appropriation.

Karl Brooks
Regional Administrator
EPA Region 7
913-551-7006

From: esmith@moenviron.org [mailto:esmith@moenviron.org]
Sent: Thursday, October 03, 2013 10:05 AM
To: Brooks, Karl; Tapia, Cecilia; Kring, Debbie

Cc: Joeana Middleton; Lou Aboussie; Kerry DeGregorio; Bill Otto; Brecht Mulvihill; Kat Smith; hnavarro@moenviron.org

Subject: Gov't Shutdown, EPA, and West Lake Landfill

Administrator Brooks,

I called Dan Gravatt's (EPA West Lake project manager) phone number and it appears he is on furlough until the government shutdown is over per his voice mail recording.

Will the Gamma Cone Penetration Test (GCPT) that Republic Services wants to conduct sometime between now and Oct. 10 be monitored by EPA Region 7 for quality assurance and protection of workers/fence-line communities?

Republic Services mentions that ground clearing will be needed to conduct this testing. Will there be equipment set up around the perimeter of the landfill to test for Alpha, Beta, and Gamma radioactivity in real time? If so, what is the protocol for alerting surrounding communities if there is a threat to public health? The reason we are concerned is because Republic Services calls for the use of a **"brush hog" to clear paths for the testing**, which EPA Region 7 has opposed in a comment letter on the plan.

Can Republic Services begin the GCPT work without EPA consent? Has the EPA given consent to start the testing?

Will the GCPT be in any way impacted by the shutdown as it relates to EPA oversight on the GCPT specifically or West Lake management in general?

Please do not consider these questions as part of the monthly exchange between MCE and EPA Region 7. These questions are particularly important considering the government shutdown and expected site study that will be conducted at West Lake, possibly during the government shutdown.

Who should people contact at EPA Region 7 with concerns if activity begins at the landfill and the government is still shutdown?

MCE was caught off-guard by the letter from Republic Services to EPA that was posted on the DNR website on Oct 2 saying it was going to begin work by Oct. 10 or sooner.

MCE would like clarity from the EPA about what is being done to address public safety during the GCPT work, who at EPA can be contacted during shutdown for concerns at the landfill if/when work starts, and what EPA is doing to monitor West Lake during the shutdown, **all before Republic Services is allowed to begin work at the landfill.**

An immediate response is much appreciated given the timely nature of our concerns.

Thanks,
Ed Smith

Ed Smith
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